

LABONI A. HOQ (SBN 224140)
laboni@hoglaw.com
HOQ LAW APC
P.O. Box 753
South Pasadena, California 91030
Telephone: (213) 973-9004

EVA BITRAN (SBN 302081)
ebitrان@aclusocal.org
ACLU FOUNDATION OF SOUTHERN CALIFORNIA
1313 West Eighth Street
Los Angeles, California 90017
Telephone: (213) 977-9500
Facsimile: (213) 915-0219

Attorneys for Plaintiff
(additional counsel information on next page)

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION OF
SOUTHERN CALIFORNIA,
Plaintiff,

v.

UNITED STATES IMMIGRATION
AND CUSTOMS ENFORCEMENT,
et al.,

Defendants.

Case No. 2:22-CV-04760-SHK

**JOINT STIPULATION TO SET
BRIEFING SCHEDULE FOR
CROSS-MOTIONS FOR
SUMMARY JUDGMENT AGAINST
DEFENDANT U. S. IMMIGRATION
AND CUSTOMS ENFORCEMENT**

Honorable Shashi H. Kewalramani
United States Magistrate Judge

EUNICE CHO (*pro hac vice*)

echo@aclu.org

AMERICAN CIVIL LIBERTIES UNION FOUNDATION

NATIONAL PRISON PROJECT

915 Fifteenth Street NW, 7th Floor

Washington, DC 20005

Telephone: (202) 548-6616

KYLE VIRGIEN (SBN 278747)

kvirgien@aclu.org

AMERICAN CIVIL LIBERTIES UNION FOUNDATION

NATIONAL PRISON PROJECT

425 California St., Suite 700

San Francisco, CA 94104

Telephone: (202) 393-4930

Attorneys for Plaintiff

1 IT IS HEREBY STIPULATED, by and between Plaintiff American Civil
2 Liberties Union Foundation of Southern California and Defendant U.S. Immigration
3 and Customs Enforcement (“ICE”), through their counsel, and subject to an order of
4 this Court as follows:

5 1. On January 17, 2025 by telephone, and through email communication,
6 the Parties met and conferred pursuant to Local Rule 7-3 to discuss their intent to file
7 Cross-Motions for Summary Judgment as to Plaintiff against Defendant ICE.

8 2. During the Rule 7-3 conference and communications, ICE confirmed
9 that it would complete its production of records responsive to Plaintiff’s Freedom of
10 Information (“FOIA”) request on or about January 22, 2025. Plaintiff stated that it
11 intends to file a Motion for Summary Judgment against ICE regarding its claims of
12 search adequacy, and a second Motion for Summary Judgment against ICE regarding
13 its wrongful withholding of documents, and improper redactions. Defendant ICE
14 stated that it intends to file Cross-Motions for Summary Judgment as to all of
15 Plaintiff’s claims.

16 3. In addition to the content of the Motions, the Parties have discussed the
17 timing of filing their Cross-Motions, and proposals for a briefing schedule. They also
18 discussed the deadline for ICE to produce a search summary to address Plaintiff’s
19 search adequacy claim and a *Vaughn* Index to address Plaintiff’s wrongful
20 withholding claim to facilitate the briefing. This search summary shall include dates
21 of searches, all search terms used, custodians and file locations searched, and the
22 number of pages produced by ICE.

23 4. Although a *Vaughn* index must address “each withheld document or
24 deletion from a released document,” Plaintiff will provide a list of documents to be
25 addressed in ICE’s *Vaughn* index to expedite the process. *Founding Church of*
26 *Scientology of Washington, D.C., Inc. v. Bell*, 603 F.2d 945, 949 (D.C. Cir. 1979).

5. Based on these discussions, the Parties stipulate and agree, subject to an order of this Court, to the following schedule for the Parties to file and brief Cross-Motions for Summary Judgment, and for Defendant ICE to produce a search summary and *Vaughn* index.

Search Adequacy MSJ

- January 22, 2025: ICE completes its production of documents
- February 19, 2025: ICE produces search summary to Plaintiff
- February 26, 2025: Plaintiff files Motion for Summary Judgment on search adequacy
- March 19, 2025: Defendant files Cross Motion for Summary Judgment and Opposition Brief on search adequacy
- April 9, 2025: Plaintiff files Opposition and Reply Brief on search adequacy
- April 23, 2025: Defendant files Reply Brief on search adequacy
- May 7, 2025, or a date thereafter at the convenience of the Court: Hearing on Cross-Motions

Exemption/Withholding MSJ

- January 22, 2025: ICE completes its production of documents
- January 29, 2025: Plaintiff provides list of items to ICE for *Vaughn* index
- March 19, 2025: ICE produces *Vaughn* Index to Plaintiff
- April 30, 2025: If necessary, Plaintiff files Motion for Summary Judgment on withholding and improper redactions
- May 21, 2025: ICE files Cross Motion for Summary Judgment and Opposition Brief
- June 11, 2025: Plaintiff files Opposition and Reply Briefs
- June 25, 2025: ICE files Reply Brief

- July 9, 2025, or a date thereafter at the convenience of the Court: Hearing on Cross-Motions

IT IS SO STIPULATED.

Respectfully submitted this 21st day of January 2025.

/S/ Laboni A. Hoq

LABONI A. HOQ (SBN 224140) laboni@hoqlaw.com HOQ LAW APC P.O. Box 753 South Pasadena, California 91030 Telephone: (213) 973-9004	EUNICE CHO (pro hac vice) echo@aclu.org AMERICAN CIVIL LIBERTIES UNION FOUNDATION NATIONAL PRISON PROJECT 915 Fifteenth Street NW, 7th Floor Washington, DC 20005 Telephone: (202) 548-6616
EVA BITRAN (SBN 302081) ebitrان@aclusocal.org ACLU FOUNDATION OF SOUTHERN CALIFORNIA 1313 West Eighth Street Los Angeles, California 90017 Telephone: (213) 977-9500 Facsimile: (213) 915-0219	KYLE VIRGIEN (SBN 278747) kvirgien@aclu.org AMERICAN CIVIL LIBERTIES UNION FOUNDATION NATIONAL PRISON PROJECT 425 California St., Suite 700 San Francisco, CA 94104 Telephone: (202) 393-4930 <i>Attorneys for Plaintiff</i>
	JOSEPH T. McNALLY Acting United States Attorney DAVID M. HARRIS Assistant United States Attorney Chief, Civil Division JOANNE S. OSINOFF Assistant United States Attorney

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

	Chief, Complex and Defensive Litigation Section <u>/S/ Joseph W. Tursi</u> JOSEPH W. TURSI* JASON K. AXE Assistant United States Attorneys Attorneys for Defendants
--	---

*Pursuant to Local Rule 5-4.3.4(2)(i), the filer attests that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.